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Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12 IO-13

SAJ-01 RSR-01 /106 W
---------- 074917
R 131050Z JUL 73
FM USMISSION BERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 2066
AMEMBASSY LONDON
AMEMBASSY PARIS

C O N F I D E N T I A L BERLIN 1189

E.O. 11652: GDS
TAGS: PGOV, WB, GE, GW
SUBJECT: SENAT APPEARS TO REVERSE ITSELF ON BRUECKMANN EXTRADITION TO GDR

REF: BERLIN 1129

1. SUMMARY: POSSIBLY IN REACTION TO MOUNTING CRITICISM OF GDR POLICE METHODS IN WAKE OF LAST WEEKEND'S SERIOUS INCIDENT AT THE WALL (BERLIN 1153), PUBLIC PROSECUTOR HANS GUENTHER OF WEST BERLIN KAMMERGERICHT SAID ON TELEVISION JULY 9 THAT AS A RESULT OF NEW EVIDENCE JUST RECEIVED ON HER MENTAL STATE, DECISION TO EXTRADITE 17-YEAR OLD INGRID BRUECKMANN TO GDR MAY BE REVERSED. GUENTHER'S OFFICE ALSO ANNOUNCED NEXT DAY THAT IT HAD REJECTED GDR REQUEST FOR EXTRADITION OF RENATE HUBIG, WELL-KNOWN FORMER EAST-GERMAN TELEVISION PERSONALITY. END SUMMARY.

2. GUENTHER SAID ON TELEVISION PROGRAM "PANORAMA" JULY 9 THAT FOLLOWING HIS INITIAL DECISION TO CONSENT TO EXTRADITION OF BRUECKMANN, HE HAD RECEIVED THROUGH OFFICIAL CHANNELS SPECIALIST'S REPORT FROM CHILDREN'S HOME WHERE BRUECKMANN CONFINED INDICATING SHE WAS SUICIDE-PRONE AND MIGHT TAKE
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OWN LIFE IF TURNED BACK TO GDR. GUENTHER HAS REQUESTED

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KAMMERGERICHT TO OBTAIN INDEPENDENT PSYCHIATRIST'S REPORT
AND SAID THAT ON BASIS OF THAT REPORT IT MIGHT BECOME
NECESSARY TO RECONSIDER HIS JUNE 26 DECISION TO SUPPORT
GDR'S EXTRADITION REQUEST. KAMMERGERICHT, WHICH HAD
BEEN EXPECTED TO RULE ON GDR REQUEST JULY 6, HAS DELAYED
ITS DECISION.

3. ACCORDING TO PRESS REPORTS, BRUECKMANN'S ATTORNEY
SAID GUENTHER'S TELEVISION STATEMENT
WAS FIRST HE HAD HEARD OF ALLEGED SPECIALIST'S
REPORT, EVEN THOUGH HE HAD BEEN AT KAMMERGERICHT ON BEHALF
OF CLIENT AS LATE AS AFTERNOON OF JULY 9. HE NOTED THAT
SENAT AUTHORITIES HAD HELD BRUECKMANN IN CUSTODY FOR EIGHT
WEEKS WITHOUT PREVIOUSLY INDICATING INTEREST IN HER MENTAL
STATE, BUT WELCOMED NEW DEVELOPMENT AS COMING "LATE BUT
NOT TOO LATE." ATTORNEY HIMSLF LOST NO TIME IN FILING
BRIEF JULY 10 URGING KAMMERGERICHT TO APPOINT COMPETENT
INDEPENDENT PSYCHIATRIST AND TO REACH QUICK DECISION.

4. CONSERVATIVE SPRINGER PRESS, WHICH HAD PREVIOUSLY
ATTACKED WEST BERLIN AUTHORITIES FOR CONSIDERING GIRL'S
EXTRADION, HAS GIVEN PROMINENT PLAY TO NEW DEVELOPMENT
WITHOUT EDITEORIAL COMMENT. INDEPENDENT "DER ABEND"
JULY 11, HOWEVER, DEFENDED GUENTHER FROM EARLIER SPRINGER
CHARGES THAT INITIAL DECISION TO GRANT EXTRADITION HAD
BEEN REACHED WITHOUT FULL CONSIDERATION OF ALL FACTORS
INVOLVED. "DER ABEND" NOTED GUENTHER AND SENATOR FOR
JUSTICE KORBER AGREED TO SUPPORT EXTRADTION REQUEST ONLY
ON BASIS ON LAW ON INNER-GERMAN JUDICIAL AND OFFICIAL
ASSISTANCE AND AFTE GDR HAD GIVEN SERIES OF ASSURANCES
SOUGHT BY SENAT. IT ADDED THAT REPORT ON GIRL'S MENTAL
STATE ADDED NEW ELEMENT.

5. IN EXPLANATION OF ITS DECISION TO REJECT GDR REQUEST
FOR EXTRADITION OF RENATE HUBIG, GUENTHER'S OFFICE INFORMED
PRESS JULY 10 THAT SINCE HUBIG WAS WELL-KNOWN PERSON IN GDR, THERE
WERE GROUNDS TO SUSPECT THAT EAST GERMAN AUTHORITIES MIGHT
SEEK TO MAKE PUBLIC EXAMPLE OF HER BY PUNISHING HER FLIGHT
FROM GDR AS "TREASON." SENAT AUTHORITIES CONSIDERED,
THEREFORE, THAT SHE MIGHT
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NOT RECEIVE FAIR TRIAL, AND HAVE SAID WEST BERLIN PROSECUTOR
WILL INSTEAD SEEK TO DETERMINE WHETHER THERE
IS CASE FOR TRYING HUBIG IN WEST BERLIN COURT ON BAD CHECK CHARGE.

6. COMMENT: IT NOW APPEARS THAT NEITHER BRUECKMANN NOR
HUBIG WILL BE RETURNED TO GDR. GUENTHER'S UNCONVINCING
DESCRIPTION OF HOW REPORT ON GIRL'S MENTAL CONDITION
BELATEDLY REACHED HIM SUGGESTS THAT SENAT REVERSAL OF

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DECISION ON BRUECKMANN MAY HAVE BEEN INFLUENCED BY
REACTION TO LAST WEEKEND'S WALL INCIDENT.BORG

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